

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

PUBLIC SERVICES – Marketing Department – Departmental Proceedings against Sri Md.Iliyas, Joint Director of Marketing(Retd) – Under Rule 20 of A.P.C.S.(CCA) Rules, 1991 – Article of Charges – Framed – Issued.

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AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT**

G.O.RT.No. 850

Dated: 18th June, 2013

Read :-

G.O.Ms.No.71, A&C(Vig.II) Dept., Dated: 18.06.2013.

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O R D E R :-

It is proposed to hold an enquiry against Sri Md. Iliyas, Joint Director of Marketing(Retd) in accordance with the procedure laid down in Under Rule 20 of A.P.C.S.(CCA) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charge (Annexure-I). A list of documents by which and a list of witnesses by whom the article of charge is proposed to be sustained are also enclosed (Annexure –II & III).

3. Sri Md.Iliyas, Joint Director of Marketing(Retd) is directed to submit within 15 days of the receipt of this order, a written statement of his defence.

4. Sri Md.Iliyas, Joint Director of Marketing(Retd) is further informed that an enquiry will be held only in respect of those articles of charges that are not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri Md.Iliyas, Joint Director of Marketing(Retd) is further informed that if he does not submit his written statement of defence on or before the date specified in Para 3 above, further action will be proceeded based on the material available.

6. The attention of Sri Md.Iliyas, Joint Director of Marketing(Retd) is invited to Rule 24 of the A.P.C.S.(Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or out side influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri Md.Iliyas, Joint Director of Marketing(Retd) is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P.C.S.(Conduct) Rules, 1964.

7. The receipt of the G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.C.V.S.K.SARMA,

SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To

Sri Md.Iliyas, Joint Director of Marketing(Retd) through the Commissioner and Director of

Agriculture Marketing, Hyderabad.

The Commissioner & Director of Agri. Marketing, Hyderabad.

Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER

(P.T.O. FOR ANNEXURE-I, II & III)

ANNEXURE.I

Statement of Article of Charges framed against Sri Md.Iliyas, Joint Director of Marketing(Retd)

Article of Charge

“That Sri Md.Iliyas, Joint Director of Marketing(Retd) while working as Joint Director of Marketing, Kadapa has not followed the terms and conditions in the Circular No.2425/1987, Dt: 20-12-1990 of the Commissioner & Director of Agril. Marketing and violated the Condition No. 1 & 2 in fixing the rent and auctioning of the Shop No.1 in Market Yard, Mulakalacheruvu and responsible for the illegal eviction of Shop No. 1 by Smt. G. Bhagya Lakshmi, W/o Late Sri G. Ramachandra who was in possession of Shop No.1 after successful bidding in open auction on 26-04-1999 at Market Yard, Mulakalacheruvu. This shows his gross negligence towards his duties and violated conduct rules”.

Basis:-

As per the report of Regional Joint Director of Marketing, Kadapa, Dt: 19-03-2013. As per Circular No. 2425/1987, Dt: 20-12-1990 of Commissioner & Director of Agril. Marketing condition No. 2 of the Circular the shops-cum-Godown shall be let out on lease by auction in the presence of Joint Director of Marketing concerned. Further, as per the condition No.1, the rent of the shops-cum-Godown shall be originally fixed by the Executive

Engineer (M) concerned which shall be treated as upset lease amount. The Condition No.1 is violated clearly as it was no upset rent was recorded as fixed by the Executive Engineer(M), Kadapa as per G.O.Ms.No. 35 F&P (Fin.Winged-PWD) Dept., Dt: 27-02-1997 which was in force at that time. Thus the then Joint Director of Marketing, Kadapa, Sri Md. Ilyas, has also violated Rule 3 (1), 3(2), 3(3) and 3(5) of A.P.Civil Services (Conduct) Rules, 1964. By not applying sense of propriety, he followed blindly in the footsteps of the then Secretary, Sri D. Pullaiah and became part and parcel of forceful eviction of helpless women from her possession of Shop No.1. The then Joint Director of Marketing, Kadapa Sri Md. Ilyas should had every opportunity to prevent this criminal conspiracy by proper approach of the auction conditions as laid down in the Circular No. 2425/1987, Dt: 20-12-1990 without going for public notice in the news paper, without re-fixation of rent in terms of G.O.Ms. No. 35, and even without ascertaining the cause of auction for the vacancy.

DR.C.V.S.K.SARMA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

ANNEXURE.II

List of documents by which the Article of charges framed against Sri Md. Ilyas, Joint Director of Marketing (Retd.)

1. Lr.Roc.No. 209/2012, Dt: 19-03-2013 of the Regional Joint Director of Marketing, Kadapa.
2. Circular No. R.C.II(2)2425/1987, Dt: 20-12-1990.

DR.C.V.S.K.SARMA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

ANNEXURE.III

List of witnesses by whom the Article of Charges framed against Sri Md.Ilyas, Joint Director of Marketing(Retd.)

- NIL -

DR.C.V.S.K.SARMA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
Sri Md.Ilyas,Joint Director of Marketing(Retd).